BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 138610	§	
issued to NATALIE M. JAKSIK MCLAURIN	§	ORDER

TEXAS BOARD OF NURSING
I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Executive Director of the Board

On this day, the Texas Board of Nursing, hereinafter referred to as the Boa accepted the voluntary surrender of Vocational Nurse License Number 138610, issued to NATALIE M. JAKSIK MCLAURIN, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.

4. Respondent received a Certificate in Vocational Nursing from Tyler Junior College, Tyler, Texas on August 23, 1992. Respondent was licensed to practice vocational nursing in the State of Texas on December 6, 1992.

5. Respondent's vocational nursing employment history includes:

   12/1992 - 08/1999 Employment history unknown.

Respondent's vocational nursing employment history continued:

08/1999 - 03/2002	LVN	Rockport Coastal Care Rockport, Texas
03/2002 - 07/2002	LVN	Oakcrest Nursing Center Rockport, Texas
07/2002 - 03/2003	LVN	Poteet Manor Poteet, Texas
04/2003 - 04/2004	Employment history unknown.	
04/2004 - 03/2006	LVN	Lytle Nursing Home Lytle, Texas
03/2006 - 03/2009	LVN	Southwest General Hospital San Antonio, Texas
04/2009 - Present	Employment history unknown.	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Southwest General Hospital, San Antonio, Texas and had been in this position for three (3) years.

7. On or about March 17, 2009, while employed as a Licensed Vocational Nurse with Southwest General Hospital, San Antonio, Texas, Respondent lacked fitness to practice vocational nursing in that she was despondent, made suicidal comments, and wanted to sleep while on duty. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing the patients in potential danger.

8. On or about March 17, 2009, while employed as a Licensed Vocational Nurse with Southwest General Hospital, San Antonio, Texas, Respondent engaged in the intemperate use of Cocaine, in that she produced a specimen for a drug screen that resulted positive for Cocaine. Additionally, she admitted that she had used Cocaine in order to cope with her problems. Possession of Cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine by a Licensed Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient

care, thereby placing the patient in potential danger.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states: " When I went to work I was a mess, wanting to commit suicide, knowing I needed help. I asked for help. I was self medicating at that time. I agreed and admitted to using cocaine the day before the UDS. I agreed to have my Mom drive me home and get help. I went to see my PCP and was prescribed anti-depressants, I was also referred to a psychiatrist. I also have been treated as an outpatient at Laurel Ridge and complying with the Peer Program until no income/unable to afford UDS. I currently remain under psychiatric care and counseling. I receive SSI because my psychiatrist states I'm unsafe to go work. I did not work that day and I had no intention to. My intention was to kill myself. My diagnosis is Bipolar Depression Hormonal Imbalance."

10. Formal Charges were filed on April 27, 2010.

11. Formal Charges were mailed to Respondent on April 30, 2010.

12. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice vocational nursing in the State of Texas.

13. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

14. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. Notice was served in accordance with law.

3. The evidence received is sufficient to prove violation of Section 301.452(b)(9),(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(A),(E),(4),(5),(10)(A)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational License Number 138610, heretofore issued to NATALIE M. JAKSIK MCLAURIN, including revocation of Respondent's license

to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.

7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 138610, heretofore issued to NATALIE M. JAKSIK MCLAURIN, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to NATALIE M. JAKSIK MCLAURIN, to the office of the Texas Board of Nursing.

2. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.

4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relic ensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable

to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 30th day of Sept, 2010.

Natalie M. McLaurin

NATALIE M. JAKSIK MCLAURIN, Respondent

Sworn to and subscribed before me this 30th day of September, 2010.

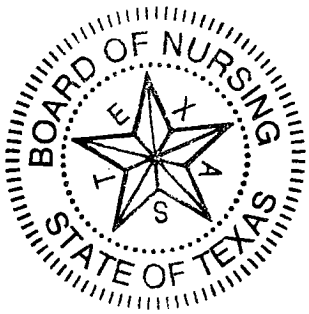
SEAL

Notary Public in and for the State of Texas

County of Atascosa

WARREN MATTHEW TOMAN
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
9-22-2012

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 138610, previously issued to NATALIE M. JAKSIK MCLAURIN.



Effective this 8th day of October, 2010.

Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board